

3

JAN 17 2002
UNITED STATES PATENT & TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled NUCLEIC ACID DETECTION METHODS USING UNIVERSAL PRIMING, the specification of which

(check one) ☐ is attached hereto.

☒ was filed on February 7, 2001 as
Application Serial No. 09/779,202
and was amended on _____
(if applicable)

**COPY OF PAPERS
ORIGINALLY FILED**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 and §119 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/180,810</u>	<u>February 7, 2000</u>	<u>Abandoned</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u>60/234,731</u>	<u>September 22, 2000</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Donald N. MacIntosh, Reg. No. 20,316; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Edward N. Bachand, Reg. No. 37,085; R. Michael Ananian, Reg. No. 38,050; Robin M. Silva, Reg. No. 38,304; Michael A. Kaufman, Reg. No. 32,988; Maria S. Swiatek, Reg. No. 37,244; Todd A. Lorenz, Reg. No. 39,754; David C. Foster, Reg. No. 44,685; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr, Hohbach, Test, Albritton & Herbert as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Direct all telephone calls to Robin M. Silva at (415) 781-1989.

Address all correspondence to:

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111

File No. A-69850-1/DJB/RMS/DCF

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first

inventor:

Jian-Bing Fan

Inventor's signature:

[Signature]

Date:

9/26/2001

Residence:

San Diego, CA

Citizenship:

People's Republic of China

Post Office Address:

5247 Pearlman Way, San Diego, CA 92130

Full name of second

inventor:

Xiang-Dong Fu

Inventor's signature:

Date:

Residence:

San Diego, CA

Citizenship:

U.S.A.

Post Office Address:

5045 Pearlman Way, San Diego, CA 92130

1056817

JAN 17 2002
PATENT & TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

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I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled NUCLEIC ACID DETECTION METHODS USING UNIVERSAL PRIMING, the specification of which

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inventor:

Jian-Bing Fan

Inventor's signature:

Date:

Residence:

San Diego, CA

Citizenship:

People's Republic of China

Post Office Address:

5247 Pearlman Way, San Diego, CA 92130

Full name of second

inventor:

Xiang-Dong Fu

Inventor's signature:

Date:

10/23/01

Residence:

San Diego, CA

Citizenship:

U.S.A.

Post Office Address:

5045 Pearlman Way, San Diego, CA 92130

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POWER OF ATTORNEY BY ASSIGNEE
(not accompanying application)

**COPY OF PAPERS
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The undersigned assignee of an interest in application for letters patent entitled:
NUCLEIC ACID DETECTION METHODS USING UNIVERSAL PRIMING

and having the named inventor(s): Jian-Bing Fan and Xiang-Dong Fu
and having Application No. 09/779,202 and filing date of February 7, 2001

hereby appoints the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 CFR §1.32:

Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Donald N. MacIntosh, Reg. No. 20,316; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Edward N. Bachand, Reg. No. 37,085, R. Michael Ananian, Reg. No. 38,050, Robin M. Silva, Reg. No. 38,304; Michael A. Kaufman, Reg. No. 32,988; Maria S. Swiatek, Reg. No. 37,244; Todd A. Lorenz, Reg. No. 39,754; and David C. Foster, Reg. No. 44,685; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr Hohbach Test Albritton & Herbert LLP as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

In accordance with 37 CFR §3.73 the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Direct all telephone calls to Robin M. Silva at (415) 781-1989.

Address all correspondence to:

Robin M. Silva, Esq.
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Four Embarcadero Center, Suite 3400
San Francisco, California 94111-4187

Assignee: Illumina, Inc.
By: Noemi C. Espinosa
(typed name)
Signature: *Noemi C. Espinosa*
Title: Vice President of Intellectual Property
Address: 9390 Towne Centre Drive, Suite 200, San Diego, California 92121
Date: 9/26/01
File No. A-69850-1/DJB/RMS/DCF



COPY OF PAPERS
ORIGINALLY FILED

POWER OF ATTORNEY BY ASSIGNEE
(not accompanying application)

The undersigned assignee of an interest in application for letters patent entitled:
NUCLEIC ACID DETECTION METHODS USING UNIVERSAL PRIMING

and having the named inventor(s): Jian-Bing Fan and Xiang-Dong Fu
and having Application No. 09/779,202 and filing date of February 7, 2001

hereby appoints the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 CFR §1.32:

Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Donald N. MacIntosh, Reg. No. 20,316; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Edward N. Bachand, Reg. No. 37,085, R. Michael Ananian, Reg. No. 38,050, Robin M. Silva, Reg. No. 38,304; Michael A. Kaufman, Reg. No. 32,988; Maria S. Swiatek, Reg. No. 37,244; Todd A. Lorenz, Reg. No. 39,754; and David C. Foster, Reg. No. 44,685; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr Hohbach Test Albritton & Herbert LLP as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

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Address all correspondence to:

Robin M. Silva, Esq.
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Four Embarcadero Center, Suite 3400
San Francisco, California 94111-4187

Assignee: The Regents of the University of California

By: Alan Paau
(typed name)

Signature: 

Title: Director, Technology Transfer & Intellectual Property Services

Address: 1111 Franklin Street, 12th Floor, Oakland, CA 94607

Date: 10/23/01

File No. A-69850-1/DJB/RMS/DCF

ASSIGNMENT
(NOT ACCOMPANYING APPLICATION)

WHEREAS, Jian-Bing Fan (the undersigned, hereinafter termed "Inventor"), resident of San Diego, County of San Diego, State of California; and Xiang-Dong Fu, resident of San Diego, County of San Diego, State of California, have invented certain new and useful improvements in NUCLEIC ACID DETECTION METHODS USING UNIVERSAL PRIMING and have executed an application for a United States patent disclosing and identifying this invention and having Serial No. 09/779,202 and a filing date of February 7, 2001; and

WHEREAS, Illumina, Inc., a corporation of the State of California, having a place of business at 9390 Towne Centre Drive, Suite 200, San Diego, 92121, State of California, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest of Jian-Bing Fan in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventors' certificates and other forms of protection, including any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications, and every reissue or extensions of any of said patents (hereinafter termed "Patent Rights").

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee:

1. Said Inventor does hereby sell, assign, transfer and convey unto said Assignee, the his right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to all Patent Rights.
2. Said Inventor hereby agrees that he will, at Assignee's expense, (a) cooperate with Assignee in the prosecution and enforcement of the Patent Rights, and (b) execute, verify, testify, acknowledge and deliver all such further facts and documents, including applications, petitions, declarations, oaths and instruments of transfer necessary.
3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives and assigns.
4. Said Inventor warrants and represents that he has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventor has executed and delivered this instrument to said Assignee as follows:

Date: Sept 26, 2001

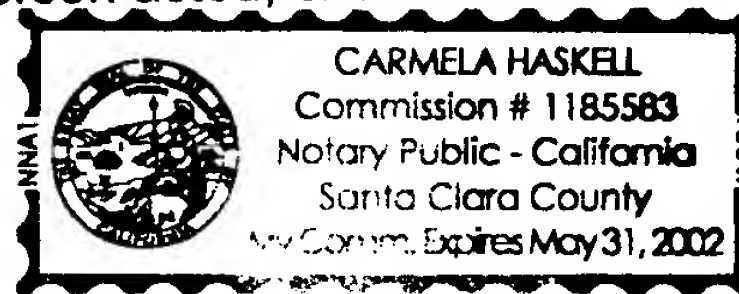
Jian-Bing Fan
Jian-Bing Fan

County of San Diego,)
) ss.
State of California.)

On this 26th day of September, in the year 2001, before me,
Carmela Haskell, Notary Public of the State of California,
personally appeared Jian-Bing Fan, personally known to me to be the person whose
name is subscribed to the within instrument, and acknowledged that he executed the
same in his authorized capacity, and that by his signature on the instrument the
person, or the entity upon behalf of which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature Carmela Haskell



(seal)

A-69850-1/DJB/RMS/DCF
1057582

ASSIGNMENT
(NOT ACCOMPANYING APPLICATION)

WHEREAS, Jian-Bing Fan, resident of San Diego, County of San Diego, State of California; and Xiang-Dong Fu (the undersigned, hereinafter termed "Inventor"), resident of San Diego, County of San Diego, State of California, have invented certain new and useful improvements in NUCLEIC ACID DETECTION METHODS USING UNIVERSAL PRIMING and have executed an application for a United States patent disclosing and identifying this invention and having Serial No. 09/779,202 and a filing date of February 7, 2001; and

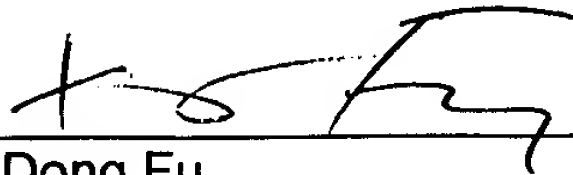
WHEREAS, The Regents of the University of California, a corporation of the State of California, having a place of business at 9500 Gilman Drive, La Jolla, California 92037, State of California, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest of Xiang-Dong Fu in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventors' certificates and other forms of protection, including any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications, and every reissue or extensions of any of said patents (hereinafter termed "Patent Rights").

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee:

1. Said Inventor does hereby sell, assign, transfer and convey unto said Assignee, the his right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to all Patent Rights.
2. Said Inventor hereby agrees that he will, at Assignee's expense, (a) cooperate with Assignee in the prosecution and enforcement of the Patent Rights, and (b) execute, verify, testify, acknowledge and deliver all such further facts and documents, including applications, petitions, declarations, oaths and instruments of transfer necessary.
3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives and assigns.
4. Said Inventor warrants and represents that he has not entered and will not enter into any assignment; contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventor has executed and delivered this instrument to said Assignee as follows:

Date: 10/23, 2001



Xiang-Dong Fu

County of San Diego,)
) ss.
State of California.)

On this ____ day of _____, in the year 2001, before me, _____, Notary Public of the State of California, personally appeared Xiang-Dong Fu, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____ (seal)

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